

Before the
Federal Communications Commission
Washington, D.C. 20554

Aug 23 4 47 PM '05

DISPATCH

In the matter of)
)
Office of Engineering and Technology)
Seeks Comment on Petition from Continental) ET Docket No. 05-247
Airlines for Declaratory Ruling regarding whether)
certain Restrictions on Antenna Installation are)
Permissible under the Commission's)
Over-The-Air Reception Devices (OTARD) Rules)
)

ORDER EXTENDING COMMENT PERIOD

Adopted: August 22, 2005

Released: August 23, 2005

By the Acting Chief, Office of Engineering and Technology:

1. On July 29, 2005, the Office of Engineering and Technology released a public notice (*Public Notice*)¹ seeking comment on a petition from Continental Airlines (Continental) for a declaratory ruling regarding whether certain restrictions on antenna installation are permissible under the Commission's over-the-air reception devices (OTARD) rules.² On August 16, 2005, the Massachusetts Port Authority (Massport) filed a Motion for a thirty-day extension of time in which to file comments and reply comments in response to the *Public Notice*. At least one additional party has also asked for an extension of the filing deadlines.³ On August 18, 2005, Continental filed a reply to Massport's motion.⁴ While Continental does not object to a brief extension of time, it does object to Massport's overall characterization of the dispute.⁵

2. The Commission's general policy is that extensions of time are not routinely granted.⁶ However, in light of the import of the public policy issues potentially implicated in this proceeding, we find that the interests of commenting parties and the Commission's interests in ensuring a thorough record, without unreasonably or unnecessarily delaying the resolution of the proceeding, are best served by an extension of the comment period.

¹ See *OET Seeks Comment on Petition from Continental Airlines for Declaratory Ruling Regarding Whether Certain Restrictions on Antenna Installation are Permissible under the Commission's Over-the-Air Reception Devices (OTARD) Rules*, ET Docket No. 05-247, Public Notice, DA 05-2213 (rel. July 29, 2005).

² See 47 C.F.R. § 1.4000. See also *Commission Staff Clarifies FCC's Role Regarding Radio Interference Matters and Its Rules Governing Customer Antennas and Other Unlicensed Equipment*, Public Notice, DA 04-184, 19 FCC Rcd 11300 (2004).

³ See *Airports Council International - North America, Motion for Extension of Filing Deadlines*, filed August 16, 2005.

⁴ See *Reply of Continental Airlines, Inc. to the Massachusetts Port Authority Motion for Extension of Time*, filed August 18, 2005.

⁵ *Id.*

⁶ See 47 C.F.R. § 1.46(a).

3. Therefore, we extend the time for the filing comments in response to the *Public Notice* from August 29, 2005, to September 28, 2005; and extend the reply comment date from September 13, 2005 to October 13, 2005.

4. IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the request of the Massachusetts Port Authority to extend the deadline for filing comments and replies in response to the *Public Notice* is GRANTED.

5. This action is taken under delegated authority pursuant to Sections 0.51 and 0.261 of the Commission's Rules, 47 C.F.R. §§ 0.51, 0.261.

FEDERAL COMMUNICATIONS COMMISSION



Bruce Franca
Acting Chief
Office of Engineering and Technology